

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

	)	
MOUNTAIN STATES AGENCY, LLC,	)	
	)	
Plaintiff/Counter-Defendant	)	
	)	
v.	)	Civil Action No.:
	)	1:20-cv-00041-JFR-LF
BLAINE HARRINGTON,	)	
	)	
Defendant/Counterclaimant.	)	
	)	
	)	

**NOTICE OF ACCEPTANCE OF DEFENDANT'S OFFER OF JUDGMENT  
AND REQUEST FOR ENTRY OF JUDGMENT**

Plaintiff Mountain States Agency, Inc., by its undersigned counsel, here files the Offer of Judgement served by Defendant Blaine Harrington on May 29, 2020, and the acceptance of that offer served by Plaintiff Mountains States Agency, Inc. on June 2, 2020, and requests the Clerk enter judgment in this case accordingly.

Plaintiff notes that in its acceptance of the offer of judgment it inadvertently and incorrectly referred to its own complaint in this matter as a verified first amended complaint, but its complaint in this matter had been its original complaint, Plaintiff corrected that error in a subsequent email to Defendant's counsel, a copy of which is also submitted herewith.

Respectfully submitted,

/s/ Jeffrey L. Squires  
Jeffrey L. Squires  
PEACOCK LAW P.C.  
201 Third Street NW  
Suite 1340  
Albuquerque, NM 87102  
Tel.: (505)-998-6116  
[jsquires@peacocklaw.com](mailto:jsquires@peacocklaw.com)

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

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MOUNTAIN STATES AGENCY, LLC )  
Plaintiff )  
 )  
v. )  
 )  
BLAINE HARRINGTON )  
Defendant. )

---

Case No. 1:20-cv-00041-JFR-LF

**CERTIFICATE OF SERVICE  
FOR  
NOTICE OF ACCEPTANCE OF DEFENDANT'S OFFER OF JUDGMENT AND  
REQUEST FOR ENTRY OF JUDGMENT**

I hereby certify that on this 2nd day of June 2020, a true and correct copy of Notice of Acceptance of Defendant's Offer of Judgment and Request for Entry of Judgment was filed via CM/ECF causing the following counsel of record to be served:

David C. Deal  
P.O. Box 1042  
Crozet, VA 22932  
Tele.: 434-233-2727  
[david@daviddeal.com](mailto:david@daviddeal.com)

Ian Bezpalko  
Bezpalko Law Firm  
2721 Sioux Street NW  
Albuquerque, NM 87107  
Tel.: 505-341-9353  
[ian@bezpalkolawfirm.com](mailto:ian@bezpalkolawfirm.com)

/s/ Jeffrey L. Squires

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**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

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MOUNTAIN STATES AGENCY, LLC,

Plaintiff/Counter-Defendant

v.

BLAINE HARRINGTON,

Defendant/Counter-Claimant.

---

Civil Action No.:

1:20-cv-00041-JFR-LF

**OFFER OF JUDGMENT**

Defendant/Counter-Claimant BLAINE HARRINGTON, pursuant to Federal Rule of Civil Procedure, Rule 68, hereby make this Offer of Judgment in the amount of \$1.01, which includes all damages, taxable court costs, interest and attorneys' fees.

This Offer of Judgment is made in response and pertains to Plaintiff/Counter-Defendant MOUNTAIN STATES AGENCY, LLC's Claims (28 U.S.C. § 2201, 1978 NMSA § 57-12-1, Prima Facie Tort) as described in Plaintiff/Counter-Defendant's Verified Complaint for Declaratory Judgment, Violation of the New Mexico Unfair Practices Act, and Prima Facie Tort (ECF No. 1).

This Offer of Judgment is made pursuant to and for the purposes specified in Rule 68 of the Federal Rules of Civil Procedure. This Offer of Judgment shall remain open for fourteen (14) days after it is served. If this Offer of Judgment is not accepted within fourteen (14) days, it shall be deemed withdrawn. If Plaintiff/Counter-Defendant does not accept this offer and if any judgment entered is more favorable to Defendant/Counter-Claimant than the unaccepted offer,

Plaintiff/Counter-Defendant may be obligated to pay the costs incurred by Defendant/Counter-Claimant after this offer was made.

To accept this offer, Plaintiff/Counter-Defendant, through its attorney, must serve written notice of acceptance of this offer within fourteen (14) days of the date this offer is made. This offer is made solely for the purpose of compromising a disputed claim and shall remain open for fourteen (14) days.

Dated: May 29, 2020

/s/ David C. Deal  
David C. Deal (VA Bar No.: 86005)  
The Law Office of David C. Deal, P.L.C.  
P.O. Box 1042  
Crozet, VA 22932  
434-233-2727, Telephone  
[david@daviddeal.com](mailto:david@daviddeal.com)  
*Attorney for Plaintiff*

CERTIFICATE OF SERVICE

I certify that on May 29, 2019, I emailed the foregoing to:

Jeffrey L. Squires  
201 Third Street NW, Suite 1340  
Albuquerque, NM 87102  
[jsquires@peacocklaw.com](mailto:jsquires@peacocklaw.com)

## Jeffrey Squires

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**From:** Jeffrey Squires  
**Sent:** Tuesday, June 02, 2020 8:40 AM  
**To:** David Deal (david@daviddeal.com); Ian Bezpalko  
**Cc:** Marco Santamaria; Toni Jones  
**Subject:** Harrington Offer of Judgment

Messrs. Deal and Bezpalko;

On behalf of my client Mountain States Agency, Inc., I accept the offer of judgment you served on me on May 29, 2020, by which you offered judgment in the amount of \$1.01 on my client's claims set forth in its Verified First Amended Complaint.

Please arrange to have the amount offered delivered to my office, preferably in the form of a check made out to Mountain States Agency, Inc. I will now file the appropriate papers with the court and request that judgment be entered in accordance with your offer and this acceptance.

Be well,

Jeff Squires

Jeffrey L. Squires  
Peacock Law P.C.  
201 Third St NW, Suite 1340  
Albuquerque, NM 87102  
Direct: 505-998-6116  
Cell: 202-509-4000  
Fax: 505-243-2542  
email

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**Jeffrey Squires**

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**From:** Jeffrey Squires  
**Sent:** Tuesday, June 02, 2020 9:30 AM  
**To:** David Deal; Ian Bezpalko  
**Cc:** Marco Santamaria; Toni Jones  
**Subject:** RE: Harrington Offer of Judgment

Yes, I meant the Complaint Mountain States filed in this matter. I do not believe there has been an amended complaint. Accordingly I correct the unintentional misstatement in my acceptance of the offer of judgment, to refer to Plaintiff's initial complaint.

Jeffrey L. Squires  
Peacock Law P.C.  
201 Third St NW, Suite 1340  
Albuquerque, NM 87102  
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